

# Filing Complaints

- ☑ Observe or experience a violation
- ☑ Create signed, sworn and notarized affidavit
- ☑ Submit affidavit to Commissioner of Elections or Department of Elections
- ☑ Receive remedy or response within 90 days of complaint filing



**If you experience a violation, there is a process to follow to register a complaint.**

## State of Delaware Commissioner of Elections



32 W. Loockerman Street, M101

Dover, DE 19904

Phone: 302-739-4277

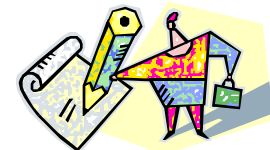
Fax: 302-739-6794

Email: [vote@state.de.us](mailto:vote@state.de.us)

Website: [www.state.de.us/election](http://www.state.de.us/election)

## State of Delaware Commissioner of Elections

# Voting Complaints: *Following Federal and State Procedures*



# Complaints

If you experience a problem while voting and/or wish to register a formal complaint, the new Help America Vote Act of 2002 (HAVA) legislation mandates a specific process for addressing it.

You must submit your complaint to the Commissioner of Elections or any of the Departments of Elections for the counties. The complaint must be:

- ◆ In writing
- ◆ Notarized
- ◆ Signed and sworn by the voter.

If the complaint is originally submitted to the County Department of Elections, it will be



Affidavits must be signed and notarized

forwarded to the Commissioner of Elections on the same day it is received.

The Commissioner's office will notify you that they received your complaint and what the

resolution process will be.

The Commissioner is authorized to consolidate similar complaints for resolution purposes. If the complainant requests it, there will be a hearing for the record.

## Determinations

After receiving the complaint, the Commissioner



appoints a person or persons to examine it, gather data and determine if there was a violation.

Data is gathered before determinations are made

If the person investigating the

complaint determines that a violation occurred, they will report this and recommend a suitable remedy to the Commissioner. He or she can accept, reject or modify the recommended remedy.

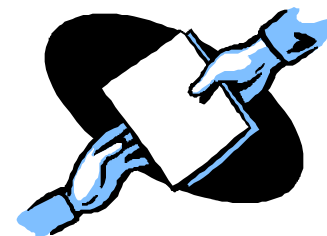
If the investigator finds that there was no violation, the complaint will be dismissed. The Commissioner will publish the results of each investigation and resolution.

## Timeframes

The State of Delaware will make a final determination with respect to a complaint within

90 days of when the complaint was received, unless you consent to a longer period of time.

If the State fails to meet the deadline, the Commissioner of Elections must take action to ensure that the complaint is resolved within 60 days under alternative dispute resolution procedures. All existing materials will be made available for these proceedings.



Complaints are submitted to the

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